# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/760,180 | 01/12/2001 | Paramvir Bahl | MS1-566US | 2778 |

22801 7590 07/07/2005

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

| EXAMINER | |
|---|---|
| BATES, KEVIN T | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2155 | |

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/760,180 | BAHL, PARAMVIR | |
| | Examiner | Art Unit | |
| | Kevin Bates | 2155 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *27 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *16-18,25-39,45-55 and 57-67* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *16-18,25-39,45-55 and 57-67* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

This Office Action is in response to a communication made on May 27, 2005.

Claims 1-15, 19-24, 40-44, and 56 have been cancelled.

Claims 16, 28, 45-47, 50-51, 53-55, 58-59, and 61 have been amended.

Claims 63-67 have been newly added.

Claims 16-18, 25-39, 45-55, and 57-67 are pending in this application.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 58 rejected under 35 U.S.C. 102(b) as being anticipated by Theimer (5493692).**

Regarding claim 58, Theimer teaches a system, comprising: a server having memory; a user database stored in the memory of the server (Column 7, lines 29 – 60), the user database containing a user field for storing a user name of a mobile computer user, and a last known location field for storing a most recent location of a computer user identified in a corresponding user field (Column 7, line 61 – Column 8, line 11); a wireless access point of a wireless local area network configured to receive radio frequency network transmissions from one or more mobile computers (Column 5, lines 26 – 32); a mobile computer having memory and a wireless network interface for radio

frequency communication with the wireless access point (Column 5, lines 48 – 55); a location tracking system in the mobile computer memory configured to determine a location of the mobile computer; a location manager in the mobile computer memory configured to transmit the location of the mobile computer and the user name of a mobile computer user to the server via the wireless network interface when a request to do so is received from the server (Column 8, lines 48 – 55; Column 6, lines 28 – 45); and a computing unit having a computing unit location manager configured to search the user database of the server to determine information regarding the location of a mobile user (Column 4, lines 30 – 34).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 16-17, 25-30, 32, 34, 36-38, 45-47, 49-50, 52-54, 63, and 65-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (5493692) in view of Christ (5977913).**

Regarding claim 16, Theimer teaches a method, comprising: determining a location of a computing unit (Column 4, lines 30 – 33) using RF signals and a plurality of RF beacons having known locations (Column 5, line 48 – Column 6, line 14); periodically transmitting, from the computing unit, the location of the computing unit to a

network server together with a user name of a user using the computing unit (Column 8, line 64 – Column 9, line 1); and including an active signal with the periodically transmitted information when the user is actively using the computing unit (Column 9, lines 26 – 37), but Theimer does not explicitly indicate using environmental profiling to establish the location of the computing unit. Christ teaches a system with a plurality of RF beacons (Column 9, lines 50 – 53) that polls the plurality of beacons for location/environmental information about the computing unit (Column 10, lines 34 – 53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Christ's teaching of locating users in certain rooms inside of a building (Column 7, lines 13 – 17) using present wireless technology (Column 9, lines 43 – 48) in Theimer's location system.

Regarding claim 17, Theimer teaches that the computing unit is a mobile computing unit; and the network server is a wireless network server (Column 5, lines 48 – 51).

Regarding claim 25, Theimer teaches that the user actively using the computing unit further comprises the user having used the computing unit to within a pre-defined time period (Column 27, lines 25 – 36).

Regarding claim 26, Theimer teaches that transmitting the location of the computer unit to a network server only occurs upon a request from the network server for the computer unit to update the is location of the computer unit (Column 8, lines 48 – 58 where the RPC is the request for the location information from the GPS).

Regarding claim 27, Theimer teaches encrypting is the location of the computing unit prior to transmitting the location of the computing unit to the network server (Column 21, lines 13 – 20).

Regarding claim 28, Theimer teaches a system, comprising: a server having memory; a user database stored in the memory of the server (Column 7, lines 29 – 60), the user database containing a user field for storing a user name of a mobile computer user, and a last known location field for storing a most recent location of a computer user identified in a corresponding user field (Column 7, line 61 – Column 8, line 11); a wireless access point of a wireless local area network configured to RF receive network transmissions from one or more mobile computers (Column 5, lines 27 – 32; lines 48 – 53); a mobile computer having memory and a wireless network interface for RF communication with the wireless access point of the wireless local area network (Column 5, lines 48 – 55); a location tracking system in the mobile computer memory configured to determine a location of the mobile computer; a location manager in the mobile computer memory configured to periodically transmit the location of the mobile computer and the user name of a mobile computer user to the server via the wireless network interface (Column 8, lines 48 – 55; Column 6, lines 28 – 45); and a computing unit having a computing unit location manager configured to search the user database of the server to determine information regarding the location of a mobile user (Column 4, lines 30 – 34; Column 7, lines 29 – 60), but Theimer does not explicitly indicate using a beacon packet's signal strength received from the wireless access point and using a pervious established radio map. Christ teaches a system with a plurality of RF beacons

(Column 9, lines 50 – 53) that polls the plurality of beacons for location/environmental information and their signal strength about the computing unit (Column 10, lines 34 – 53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Christ's teaching of locating users in certain rooms inside of a building (Column 7, lines 13 – 17) using present wireless technology (Column 9, lines 43 – 48) in Theimer's location system.

Regarding claim 29, Theimer teaches that the computing unit is a stationary computing unit (Column 5, lines 41 – 48).

Regarding claim 30, Theimer teaches that the computing unit is a mobile computing unit (Column 5, lines 41 – 48).

Regarding claim 32, Theimer teaches that the user database further comprises an active field indicating if the mobile computer user has used the to mobile computer within a specified time period (Column 9, lines 26 – 37).

Regarding claim 34, Theimer teaches that the location manager transmits the location of the mobile computer in coordinates relative to a known absolute location (Column 5, lines 48 – 64).

Regarding claim 36, Theimer teaches that the location manager transmits the location of a network node with which the mobile computer is communicating as the location of the mobile computer (Column 8, lines 49 – 58).

Regarding claim 37, Theimer teaches that the mobile computer is a first computer; the system further comprises a second computer having a location manager (Column 8, lines 45 – 48); the user database further comprises an active field; the

mobile computer user is logged onto both the first mobile computer and the second computer; the location manager of the first computer and the location manager of the second computer are further configured to transmit an active signal for a specified period of time after the respective computers are used; to the active field corresponding to the first computer indicating the mobile computer user last used the first computer when the active signal is transmitted from the first computer; the active field corresponding to the second computer indicating the mobile computer user last used the second computer when the active signal is transmitted from the second computer; and only one active field indicating activity by the mobile computer user at any given time (Column 9, lines 26 – 37; Column 21, lines 35 – 59).

Regarding claim 38, Theimer teaches that the user database further comprises an OK field that contains data that identifies one or more system users that are authorized to receive data regarding the location of the mobile computer user identified in the corresponding user field (Column 11, lines 1 – 6).

Regarding claim 45, Theimer teaches a mobile computing unit, comprising: memory; a wireless network interface configured to connect the mobile computing unit to multiple wireless access points of one or more remote servers (Column 5, line 48 – Column 6, line 14); a location tracking service configured to determine a location of the mobile computer unit (Column 6, lines 28 – 45; Column 4, lines 30 – 33); and a location manager configured to periodically transmit the location of the mobile computing unit to one or more of remote server via the wireless network interface (Column 8, line 64 – Column 9, line 6), but Theimer does not explicitly indicate using a beacon packet's

signal strength received from the wireless access point and using a pervious established radio map. Christ teaches a system with a plurality of RF beacons (Column 9, lines 50 – 53) that polls the plurality of beacons for location/environmental information and their signal strength about the computing unit (Column 10, lines 34 – 53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Christ's teaching of locating users in certain rooms inside of a building (Column 7, lines 13 – 17) using present wireless technology (Column 9, lines 43 – 48) in Theimer's location system.

Regarding claim 46, Theimer teaches that the location manager is further configured to transmit a user name of a user logged onto the mobile computing unit to one or more of the remote servers together with the location of the mobile computing unit (Column 27, lines 7 – 13).

Regarding claim 47, Theimer teaches that the location manager is further configured to transmit an active signal to one or more of the remote servers together with the location of the mobile computing unit when a user logged is onto the mobile computing unit has actively used the unit within a specified period of time (Column 21, lines 35 – 65).

Regarding claim 49, Theimer teaches that the location manager identifies and transmits the location of a network node with which the mobile computing unit is communicating as the location of the mobile computing unit (Column 20, lines 12 – 18; Column 21, lines 28 – 34).

Regarding claim 50, Theimer teaches that the location manager is configured to invoke the location tracking service when commanded to do so by a second computing unit or one or more of the remote servers (Column 21, lines 28 – 34).

Regarding claim 52, Theimer teaches that the location manager transmits the location of the mobile computing unit relative to a known absolute location (Column 5, lines 48 – 64).

Regarding claim 53, Theimer teaches that the location manager transmits a geographic region to one or more of the remote servers as the location of the mobile computing unit (Column 5, lines 48 – 64).

Regarding claim 54, Theimer teaches that the location manager is further configured to encrypt the location of the mobile computing unit before transmitting the location of the mobile computing unit to one or more of the remote servers (Column 21, lines 13 – 20).

Regarding claim 63, Theimer teaches a method comprising: receiving radio frequency transmissions emitted from a plurality of radio frequency base stations of a wireless local area network (Column 5, line 48 – Column 6, line 14); identifying the location of the mobile computing device as that of a computer user (Column 8, line 59 – Column 9, line 1); receiving a request for the location of the computer user from a computing unit (Column 9, lines 7 – 20); and transmitting the location of the computer user to the computing unit (Column 8, line 59 – Column 9, line 1), but does not explicitly indicate measuring relative strengths of the radio frequency transmissions; determining a location of a mobile computing device based on the relative strengths. Christ teaches

a system with a plurality of RF beacons (Column 9, lines 50 – 53) that polls the plurality of beacons for location/environmental information and their signal strength about the computing unit (Column 10, lines 34 – 53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Christ's teaching of locating users in certain rooms inside of a building (Column 7, lines 13 – 17) using present wireless technology (Column 9, lines 43 – 48) in Theimer's location system.

Regarding claim 65, the combination of Theimer and Christ teaches receiving from the mobile computer device, an identifier associated with the computer user (Theimer, Column 7, lines 35 – 40; Christ, Column 9, lines 60 – 64).

Regarding claim 67, Theimer discloses an active signal with the periodically transmitted information when the user is actively using the computing unit (Column 9, lines 26 – 37)

**Claims 33, 35, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer in view of Christ as applied to claims 16-17, 25-30, 32, 34, 36-38, 45-47, 49-50, 52-54, 63, and 65-67 above, and further in view of Norris (578150).**

Regarding claims 33, 35, and 51, Theimer teaches that the location of the first computer is represented GPS standards (Column 8, lines 52 – 58), but does not explicitly indicate that the GPS location is an absolute geographical unit. Norris teaches a system, which includes mobile devices delivering location information received from GPS. In Norris teaches it is teaches that the GPS can deliver absolute geographical coordinates (Column 5, lines 39 – 46) and that the absolute location includes longitude,

latitude, and altitude (Column 5, lines 28 – 38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Norris calculations of an absolute location of a mobile device in Theimers system in order to know the exact precise position of an individual in case of an emergency (Column 1, lines 20 – 30).

**Claims 18, 31, 31, 48, 55, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer in view of Christ as applied to claims 16-17, 25-30, 32, 34, 36-38, 45-47, 49-50, 52-54, 63, and 65-67 above, and further in view of Dunn (5659596).**

Regarding claims 18, Theimer and Christ does not explicitly indicate time-stamping the location of the first computer with the time that the first computer was identified. Dunn teaches a system that includes locating mobile devices. Included in this teaching is a system of time-stamping the location information of the mobile device (Column 8, lines 15 – 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use time-stamping in Theimer's user location system in order for the system to know where the last known location of a user is based upon what time the location

Regarding claim 31, the combination of Theimer, Christ, and Dunn teaches that, wherein: the mobile computer further comprises a clock; the location manager is further configured to transmit a time of transmission to the server together with the location and user name information; and the user database further comprises a time field for storing the time that a transmission identifying the location of the mobile user and the user

name of the mobile computer user is received from the mobile computer (Dunn, Column 8, lines 15 – 24).

Regarding claim 39, the combination of Theimer, Christ, and Dunn teaches that location manager of the computing unit is further configured to: search the user database to locate an entry for a specific user; calculate a time differential between a current time and a time stored in the time field corresponding to the specific user if the specific user is found; compare the time differential to a time threshold; recognize the location contained in the last known location field s corresponding to the specific user as the location of the specific user if the time differential is within the time threshold; transmit a signal to cause the location manager of the mobile computer to invoke the location tracking system of the mobile computer if the time differential is not within the time threshold, to determine the location of the mobile computer and transmit location and user information to the server where it is stored in the user database; and recognize the newly stored location contained in the last known location field corresponding to the specific user as the location of the specific user (Dunn, Column 8, lines 15 – 24).

Regarding claim 48, the combination of Theimer, Christ, and Dunn teaches a clock, and wherein the location manager is further configured to time-stamp the transmission of the location information with a time that the transmission is sent (Dunn, Column 8, lines 15 – 24).

Regarding claim 55, Theimer teaches a method for locating a mobile computer user in a wireless network, comprising: periodically identifying a location of a mobile computer that is used by a mobile user (Theimer, Column 4, lines 30 – 33; Column 8,

lines 45 – 58; Column 9, lines 35 – 37); transmitting the location of the mobile computer to a network server together with the time stamp and a name of the mobile user; storing the transmitted information on the network server (Theimer, Column 8, lines 48 – 55; Column 6, lines 28 – 45); receiving a request from a computing unit for the location of the mobile user (Theimer, Column 9, lines 7 – 20); determining the last known location of the mobile computer by accessing the network server; and recognizing the last known location of the mobile computer as the location is of the mobile user (Theimer, Column 9, lines 31 – 33), but Theimer does not explicitly indicate using a beacon packet's signal strength received from the wireless access point and using a pervious established radio map. Christ teaches a system with a plurality of RF beacons (Column 9, lines 50 – 53) that polls the plurality of beacons for location/environmental information and their signal strength about the computing unit (Column 10, lines 34 – 53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Christ's teaching of locating users in certain rooms inside of a building (Column 7, lines 13 – 17) using present wireless technology (Column 9, lines 43 – 48) in Theimer's location system. Theimer also does not explicitly indicate time-stamping the location of the first computer with the time that the first computer was identified. Dunn teaches a system that includes locating mobile devices. Included in this teaching is a system of time-stamping the location information of the mobile device (Column 8, lines 15 – 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use time-stamping in Theimer's user location system in order for

the system to know where the last known location of a user is based upon what time the location

Regarding claim 57, the combination of Theimer, Christ, and Dunn teaches transmitting an active signal together with the location information if the mobile user has actively used the mobile computer within a specified period of time (Theimer, Column 9, lines 26 – 35).

Regarding claim 59, Theimer teaches a method comprising: receiving, at a server of a wireless network and from a mobile computer within the wireless network multiple locations of the mobile computer (Theimer, Column 4, lines 30 – 33; Column 8, lines 45 – 58; Column 9, lines 35 – 37), each of the multiple locations received at recurring time periods (Theimer, Column 9, lines 30 – 36); time-stamping each of the multiple locations based on the recurring time periods at which each of the multiple locations is received (Dunn, Column 8, lines 15 – 24); receiving, at the server, a request from a computing unit for a current location of a mobile computer user (Theimer, Column 9, lines 7 – 20); determining that the mobile computer user is identified with the mobile computer (Theimer, Column 8, line 59 – Column 9, line 1); and transmitting the location having the most-recent time-stamp to the computing unit (Theimer, Column 8, line 59 – Column 9, line 1), but Theimer does not explicitly indicate using a beacon packet's signal strength received from the wireless access point and using a pervious established radio map. Christ teaches a system with a plurality of RF beacons (Column 9, lines 50 – 53) that polls the plurality of beacons for location/environmental information and their signal strength about the computing unit (Column 10, lines 34 – 53). It would

have been obvious to one of ordinary skill in the art at the time the invention was made to use Christ's teaching of locating users in certain rooms inside of a building (Column 7, lines 13 – 17) using present wireless technology (Column 9, lines 43 – 48) in Theimer's location system. Theimer also does not explicitly indicate time-stamping the location of the first computer with the time that the first computer was identified. Dunn teaches a system that includes locating mobile devices. Included in this teaching is a system of time-stamping the location information of the mobile device (Column 8, lines 15 – 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use time-stamping in Theimer's user location system in order for the system to know where the last known location of a user is based upon what time the location

Regarding claim 61, Theimer teaches a method comprising: receiving, at a server of a wireless network and sent from a mobile computer within the wireless network multiple locations of the mobile computer (Theimer, Column 4, lines 30 – 33; Column 8, lines 45 – 58; Column 9, lines 35 – 37), each of the multiple locations sent at recurring time periods (Theimer, Column 9, lines 30 – 36); receiving, at the server, a request from a computing unit for a current location of a mobile computer user (Theimer, Column 9, lines 7 – 20); determining that the mobile computer user is identified with the mobile computer (Theimer, Column 8, line 59 – Column 9, line 1); transmitting the location to the computing unit (Theimer, Column 8, line 59 – Column 9, line 1), but Theimer does not explicitly indicate determining which of the multiple locations has a most-recent time-stamp; calculating a time differential between a current

time and the most-recent time stamp; comparing the time differential with a pre-defined time threshold; and transmitting the location having the most-recent time-stamp to the computing unit if the time differential is less than that of the pre-determined time threshold; or invoking a location taking service to identify a mort-current location of the mobile computer if the time differential is mater than the pre-determined time threshold; receiving a more-current location of the mobile computer. Dunn teaches determining which of the multiple locations has a most-recent time-stamp (Dunn, Column 13, lines 35 – 54); calculating a time differential between a current time and the most-recent time stamp; comparing the time differential with a pre-defined time threshold; and transmitting the location having the most-recent time-stamp to the computing unit if the time differential is less than that of the pre-determined time threshold; or invoking a location taking service to identify a mort-current location of the mobile computer if the time differential is mater than the pre-determined time threshold; receiving a more-current location of the mobile computer (Dunn, Column 13, line 55 – Column 14, line 11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use time-stamping in Theimer's user location system in order for the system to know where the last known location of a user is based upon what time the location. Theimer also does not explicitly indicate using a beacon packet's signal strength received from the wireless access point and using a pervious established radio map. Christ teaches a system with a plurality of RF beacons (Column 9, lines 50 – 53) that polls the plurality of beacons for location/environmental information and their signal strength about the computing unit (Column 10, lines 34 – 53). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to use Christ's teaching of locating users in certain rooms inside of a building (Column 7, lines 13 – 17) using present wireless technology (Column 9, lines 43 – 48) in Theimer's location system.

Regarding claims 60 and 62, Theimer teaches that the server is integral with a wireless access point (Column 5, lines 48 – 50).

Regarding claim 66, The combination of Theimer and Dunn not explicitly indicate time-stamping the location of the first computer with the time that the first computer was identified. Dunn teaches a system that includes locating mobile devices. Included in this teaching is a system of time-stamping the location information of the mobile device (Column 8, lines 15 – 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use time-stamping in Theimer's user location system in order for the system to know where the last known location of a user is based upon what time the location.

**Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer in view of Christ as applied to claims 16-17, 25-30, 32, 34, 36-38, 45-47, 49-50, 52-54, 63, and 65-67 above, and further in view of Crimmins (5917425).**

Regarding claim 64, the combination of Theimer and Christ disclose using signal strengths of RF transmissions to determine the location of the mobile computing unit (Column 10, lines 34 – 53), but the combination does not disclose that the mobile computing unit is used to determine its location. Crimmins discloses a mobile computing unit that uses a plurality of transmitters to determine its own location

(Abstract, lines 1 – 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the mobile computer unit to determine the its own location in Theimer's system in order to save on battery life by only transmitting the location of the mobile unit if its important or changes have been made instead of transmitting information to beacons to for them to determine the location (Column 3, lines 4 – 32).

***Response to Arguments***

Applicant's arguments regarding claim 58 have been fully considered but they are not persuasive. The applicant argues that the reference Theimer does not discloses a wireless local area network using radio frequency network transmissions. The examiner disagrees, as seen on Column 5, line 48 to Column 6, line 14, that Theimer discloses radio communication to transport information between a badge and a receiver, radio communication is wireless and its transporting information so it's a network.

Applicant's arguments with respect to claims 16-18, 25-39, 45-55, 57, and 59-67 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
July 6, 2005

SALEH NAJJAR
PRIMARY EXAMINER